

**FILED**

**OCT 25 2012**

Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA :**

**v. : Criminal Case No.: 12-cr-150 (JEB)**

**:**

**KEVIN HUSSAIN HOMAUNE :**

**STATEMENT OF FACTS**

The parties in this case, the United States of America and the defendant, Kevin Hussain Homaune, stipulate and agree that the following facts are true. These facts do not constitute all of the facts known to the parties concerning the charged offenses; they are being submitted to demonstrate that a sufficient factual basis exists for the offenses to which the defendants are pleading guilty, and to establish relevant conduct for sentencing.

The defendant and Jodi Reed Homaune ("Reed") were married in 2002 and had one child together, M.H., who was born in 2002. In 2007, Reed and the defendant separated. After Reed and the defendant ceased co-habiting, it was understood that M.H. would live with Reed. The defendant typically visited M.H. every four to six weeks. There were no formal legal arrangements for M.H.'s custody or visitation prior to the date of the instant offense.

The defendant is a dual citizen of Canada and Iran. After Reed and the defendant were married, the defendant obtained a U.S. Permanent Resident Card. Reed was the defendant's Citizenship and Immigration Services ("CIS")(formerly Immigration and Naturalization Service) sponsor for the Permanent Resident Card.

In early 2009, the defendant told Reed that he wished to take M.H. to Iran during M.H.'s 2009 summer vacation to meet the defendant's family. The defendant proposed taking M.H. to Iran for the entire summer. Reed told the defendant that the entire summer would be too long, but that M.H. could travel with him to Iran for six weeks. The defendant and Reed ultimately agreed that the defendant would travel with M.H. to Iran on May 29, 2009, and return on July 9, 2009. The defendant subsequently purchased two roundtrip tickets for himself and M.H. for those dates.

Shortly after the defendant and M.H. arrived in Iran, the defendant called Reed and told her that Iran's new laws required Iranian visas which Homaune and M.H. did not have, and that the defendant needed M.H.'s birth certificate to be translated into Farsi to obtain the necessary visas to continue with their travel. Reed followed the defendant's instructions and provided the requested paperwork.

On or about July 9, 2009, the day the defendant and M.H. were scheduled to return to the United States, the defendant told Reed that he could not return with M.H. because of a delay in receiving M.H.'s translated birth certificate. Homaune did, however, agree to have M.H. back before her first day of school.

During subsequent conversations, the defendant stated in substance that he had no intention of returning M.H. to the United States. During these conversations, the defendant continued to ask Reed for money in exchange for allowing her to speak with M.H. on the telephone. On at least four occasions, the defendant said to Reed, "You've had her for seven years, now I'm going to have her for seven years." On another occasion, Homaune threatened to


send M.H. home “in a box.” On another occasion, the defendant told Reed that he was going to  
see M.H. on the black market.

On March 18, 2010, a custody order was entered in the Circuit Court for the County of Albemarle, Virginia, granting Reed full legal and physical custody of M.H. until further order of the Court. On June 2, 2010, the court filed an order of divorce, ordering Reed absolutely divorced from the defendant.

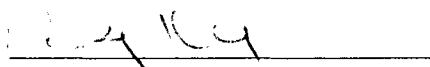
In the summer of 2011, Reed and the defendant agreed to meet in Turkey so that Reed could give the defendant \$10,000 and several other items which she could not ship to Iran, and for Reed to visit with M.H. The defendant told Reed in substance that she would be able to have a short visit with M.H.

In August, 2011, the defendant traveled with M.H. to Turkey. Acting on information received from United States and international law enforcement, Turkish authorities intercepted the defendant and safely recovered M.H. Turkish judicial proceeding commenced pursuant to the Hague Convention on the Civil Aspects of International Child Abduction (“Hague Convention”) regarding M.H.’s status. Reed had to initially relinquish custody of M.H. to Turkey (i.e., M.H. became a ward of the state) and then petition to regain custody from the orphanage where she was being held. M.H. was ultimately returned to Reed following these proceedings. Reed and M.H. then returned to the United States.

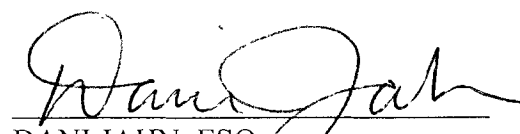
On May 20, 2012, upon entering Germany, the defendant was again identified and detained on the Interpol Red Notice. The defendant's Canadian and Iranian passports were recovered from his possession at the time of his detention in Germany. (The defendant's Iranian passport contains a stamp indicating that he traveled from Turkey to Armenia shortly after the recovery of M.H., thus suggesting that he had possession of his passport when he traveled to Turkey with M.H.).

  
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Assistant United States Attorney

10/25/12  
Date

  
DARCY KATZIN  
United States Department of Justice

10/25/12  
Date

  
DANI JAHN, ESQ.  
Attorney for Defendant Kevin Hussain  
Homanue

10/25/12  
Date

  
KEVIN HUSSAIN HOMANUE  
Defendant

10/25/12  
Date